

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:  
REBECCA E. CAHOON ET AL

CASE NO.: BB1476 US NA

CONFIRMATION NO.:

EXAMINER: UNKNOWN

FOR: NUCLEOTIDE SEQUENCES OF A NEW CLASS OF DIVERGED DELTA-9  
STEAROYL-ACP DESATURASE GENES

APPLICATION NO.: 09/934,900

GROUP ART UNIT: UNKNOWN

FILED: AUGUST 22, 2001

**RESPONSE TO NOTICE TO FILE MISSING  
PARTS OF APPLICATION-FILING DATE GRANTED**

Assistant Commissioner for Patents  
Washington, DC 20231

Attention: Box Missing Parts

Sir:

In response to the Notice to File Missing Parts of Application mailed OCTOBER 23, 2001 (a copy of which is attached), enclosed is a Declaration for the above-referenced application. Please charge the \$130.00 surcharge fee applicable for filing the Declaration on a date later than the filing date to Deposit Account 04-1928 (E. I. du Pont de Nemours and Company). If the fee is insufficient or incorrect, please charge or credit the balance to the above-identified account.

Respectfully submitted,

*Lynne M. Christenbury*  
LYNNE M. CHRISTENBURY  
ATTORNEY FOR APPLICANTS  
REGISTRATION NO. 30,971  
TELEPHONE: (302) 992-5481  
FACSIMILE: (302) 892-1026

Dated: Dec 18, 2001

**COPY OF PAPERS  
ORIGINALLY FILED**

PTO/SB/17 (11-01)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>FEE TRANSMITTAL</b>		JAN 23 2002	
for FY 2002			
Patent fees are subject to annual revision.			
<input type="checkbox"/> Applicant Claims small entity status. See 37 CFR 1.27.			
<b>TOTAL AMOUNT OF PAYMENT</b>		(\$ 130)	
		Attorney Docket No. BB1476 US NA	

METHOD OF PAYMENT (check all that apply)					FEE CALCULATION (continued)																																																																																																																																																																													
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account: Deposit Account Number: <b>04-1928</b> Deposit Account Name: <b>E. I. du Pont de Nemours and Company</b>					<b>3. ADDITIONAL FEES</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;">Large Entity</th> <th style="width: 30%;">Small Entity</th> <th colspan="2" style="width: 40%;">Fee Description</th> <th rowspan="2" style="width: 10%; text-align: center;">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>105</td> <td>130</td> <td>205</td> <td>65</td> <td>Surcharge - late filing fee or oath</td> </tr> <tr> <td>127</td> <td>50</td> <td>227</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet.</td> </tr> <tr> <td>139</td> <td>130</td> <td>139</td> <td>130</td> <td>Non-English specification</td> </tr> <tr> <td>147</td> <td>2,520</td> <td>147</td> <td>2,520</td> <td>For filing a request for reexamination</td> </tr> <tr> <td>112</td> <td>920*</td> <td>112</td> <td>920*</td> <td>Requesting publication of SIR prior to Examiner action</td> </tr> <tr> <td>113</td> <td>1,840*</td> <td>113</td> <td>1,840*</td> <td>Requesting publication of SIR after Examiner action</td> </tr> <tr> <td>115</td> <td>110</td> <td>215</td> <td>55</td> <td>Extension for reply within first month</td> </tr> <tr> <td>116</td> <td>400</td> <td>216</td> <td>200</td> <td>Extension for reply within second month</td> </tr> <tr> <td>117</td> <td>920</td> <td>217</td> <td>460</td> <td>Extension for reply within third month</td> </tr> <tr> <td>118</td> <td>1,440</td> <td>218</td> <td>720</td> <td>Extension for reply within fourth month</td> </tr> <tr> <td>128</td> <td>1,960</td> <td>228</td> <td>980</td> <td>Extension for reply within fifth month</td> </tr> <tr> <td>119</td> <td>320</td> <td>219</td> <td>160</td> <td>Notice of Appeal</td> </tr> <tr> <td>120</td> <td>320</td> <td>220</td> <td>160</td> <td>Filing a brief in support of an appeal</td> </tr> <tr> <td>121</td> <td>280</td> <td>221</td> <td>140</td> <td>Request for oral hearing</td> </tr> <tr> <td>138</td> <td>1,510</td> <td>138</td> <td>1,510</td> <td>Petition to institute a public use proceeding</td> </tr> <tr> <td>140</td> <td>110</td> <td>240</td> <td>55</td> <td>Petition to revive – unavoidable</td> </tr> <tr> <td>141</td> <td>1,280</td> <td>241</td> <td>640</td> <td>Petition to revive – unintentional</td> </tr> <tr> <td>142</td> <td>1,280</td> <td>242</td> <td>640</td> <td>Utility issue fee (or reissue)</td> </tr> <tr> <td>143</td> <td>460</td> <td>243</td> <td>230</td> <td>Design issue fee</td> </tr> <tr> <td>144</td> <td>620</td> <td>244</td> <td>310</td> <td>Plant issue fee</td> </tr> <tr> <td>122</td> <td>130</td> <td>122</td> <td>130</td> <td>Petitions to the Commissioner</td> </tr> <tr> <td>123</td> <td>50</td> <td>123</td> <td>50</td> <td>Processing fee under 37 CFR 1.17(q)</td> </tr> <tr> <td>126</td> <td>180</td> <td>126</td> <td>180</td> <td>Submission of Information Disclosure Stmt</td> </tr> <tr> <td>581</td> <td>40</td> <td>581</td> <td>40</td> <td>Recording each patent assignment per property (times number of properties)</td> </tr> <tr> <td>146</td> <td>740</td> <td>246</td> <td>370</td> <td>Filing a submission after final rejection (37 CFR § 1.129(a))</td> </tr> <tr> <td>149</td> <td>740</td> <td>249</td> <td>370</td> <td>For each additional invention to be examined (37 CFR § 1.129(b))</td> </tr> <tr> <td>179</td> <td>740</td> <td>279</td> <td>370</td> <td>Request for Continued Examination (RCE)</td> </tr> <tr> <td>169</td> <td>900</td> <td>169</td> <td>900</td> <td>Request for expedited examination of a design application</td> </tr> <tr> <td colspan="5" style="padding: 5px;">Other fee (specify) _____</td> <td colspan="5" style="padding: 5px;"></td> </tr> <tr> <td colspan="5" style="padding: 5px;">*or number previously paid, if greater; For Reissues, see above</td> <td colspan="5" style="padding: 5px; text-align: right;">SUBTOTAL (3) (\$ 130)</td> </tr> </tbody> </table>					Large Entity	Small Entity	Fee Description		Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	105	130	205	65	Surcharge - late filing fee or oath	127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	139	130	139	130	Non-English specification	147	2,520	147	2,520	For filing a request for reexamination	112	920*	112	920*	Requesting publication of SIR prior to Examiner action	113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	115	110	215	55	Extension for reply within first month	116	400	216	200	Extension for reply within second month	117	920	217	460	Extension for reply within third month	118	1,440	218	720	Extension for reply within fourth month	128	1,960	228	980	Extension for reply within fifth month	119	320	219	160	Notice of Appeal	120	320	220	160	Filing a brief in support of an appeal	121	280	221	140	Request for oral hearing	138	1,510	138	1,510	Petition to institute a public use proceeding	140	110	240	55	Petition to revive – unavoidable	141	1,280	241	640	Petition to revive – unintentional	142	1,280	242	640	Utility issue fee (or reissue)	143	460	243	230	Design issue fee	144	620	244	310	Plant issue fee	122	130	122	130	Petitions to the Commissioner	123	50	123	50	Processing fee under 37 CFR 1.17(q)	126	180	126	180	Submission of Information Disclosure Stmt	581	40	581	40	Recording each patent assignment per property (times number of properties)	146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	179	740	279	370	Request for Continued Examination (RCE)	169	900	169	900	Request for expedited examination of a design application	Other fee (specify) _____										*or number previously paid, if greater; For Reissues, see above					SUBTOTAL (3) (\$ 130)				
Large Entity	Small Entity	Fee Description		Fee Paid																																																																																																																																																																														
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																																															
105	130	205	65	Surcharge - late filing fee or oath																																																																																																																																																																														
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.																																																																																																																																																																														
139	130	139	130	Non-English specification																																																																																																																																																																														
147	2,520	147	2,520	For filing a request for reexamination																																																																																																																																																																														
112	920*	112	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																														
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																																														
115	110	215	55	Extension for reply within first month																																																																																																																																																																														
116	400	216	200	Extension for reply within second month																																																																																																																																																																														
117	920	217	460	Extension for reply within third month																																																																																																																																																																														
118	1,440	218	720	Extension for reply within fourth month																																																																																																																																																																														
128	1,960	228	980	Extension for reply within fifth month																																																																																																																																																																														
119	320	219	160	Notice of Appeal																																																																																																																																																																														
120	320	220	160	Filing a brief in support of an appeal																																																																																																																																																																														
121	280	221	140	Request for oral hearing																																																																																																																																																																														
138	1,510	138	1,510	Petition to institute a public use proceeding																																																																																																																																																																														
140	110	240	55	Petition to revive – unavoidable																																																																																																																																																																														
141	1,280	241	640	Petition to revive – unintentional																																																																																																																																																																														
142	1,280	242	640	Utility issue fee (or reissue)																																																																																																																																																																														
143	460	243	230	Design issue fee																																																																																																																																																																														
144	620	244	310	Plant issue fee																																																																																																																																																																														
122	130	122	130	Petitions to the Commissioner																																																																																																																																																																														
123	50	123	50	Processing fee under 37 CFR 1.17(q)																																																																																																																																																																														
126	180	126	180	Submission of Information Disclosure Stmt																																																																																																																																																																														
581	40	581	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																																														
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))																																																																																																																																																																														
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))																																																																																																																																																																														
179	740	279	370	Request for Continued Examination (RCE)																																																																																																																																																																														
169	900	169	900	Request for expedited examination of a design application																																																																																																																																																																														
Other fee (specify) _____																																																																																																																																																																																		
*or number previously paid, if greater; For Reissues, see above					SUBTOTAL (3) (\$ 130)																																																																																																																																																																													
<b>1. BASIC FILING FEE</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;">Large Entity</th> <th style="width: 30%;">Small Entity</th> <th colspan="2" style="width: 40%;">Fee Description</th> <th rowspan="2" style="width: 10%; text-align: center;">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>101</td> <td>740</td> <td>201</td> <td>370</td> <td>Utility filing fee</td> </tr> <tr> <td>106</td> <td>330</td> <td>206</td> <td>165</td> <td>Design filing fee</td> </tr> <tr> <td>107</td> <td>510</td> <td>207</td> <td>255</td> <td>Plant filing fee</td> </tr> <tr> <td>108</td> <td>740</td> <td>208</td> <td>370</td> <td>Reissue filing fee</td> </tr> <tr> <td>114</td> <td>160</td> <td>214</td> <td>80</td> <td>Provisional filing fee</td> </tr> <tr> <td colspan="5" style="text-align: right; padding: 5px;">SUBTOTAL (1) (\$ 0)</td> </tr> </tbody> </table>					Large Entity	Small Entity	Fee Description		Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	101	740	201	370	Utility filing fee	106	330	206	165	Design filing fee	107	510	207	255	Plant filing fee	108	740	208	370	Reissue filing fee	114	160	214	80	Provisional filing fee	SUBTOTAL (1) (\$ 0)					<b>2. EXTRA CLAIM FEES</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;">Total Claims</th> <th style="width: 30%;">Independent Claims</th> <th style="width: 30%;">Extra Claims</th> <th style="width: 30%;">Fee from below</th> <th style="width: 30%;">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>-20</td> <td>= 0</td> <td>X 18</td> <td>= 0</td> <td></td> </tr> <tr> <td>-3</td> <td>= 0</td> <td>X 84</td> <td>= 0</td> <td></td> </tr> <tr> <td></td> <td></td> <td>X 280</td> <td>= 0</td> <td></td> </tr> <tr> <td colspan="5" style="text-align: right; padding: 5px;">SUBTOTAL (2) (\$ 0)</td> </tr> </tbody> </table>					Total Claims	Independent Claims	Extra Claims	Fee from below	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee (\$)	-20	= 0	X 18	= 0		-3	= 0	X 84	= 0				X 280	= 0		SUBTOTAL (2) (\$ 0)																																																																																																								
Large Entity	Small Entity	Fee Description		Fee Paid																																																																																																																																																																														
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																																															
101	740	201	370	Utility filing fee																																																																																																																																																																														
106	330	206	165	Design filing fee																																																																																																																																																																														
107	510	207	255	Plant filing fee																																																																																																																																																																														
108	740	208	370	Reissue filing fee																																																																																																																																																																														
114	160	214	80	Provisional filing fee																																																																																																																																																																														
SUBTOTAL (1) (\$ 0)																																																																																																																																																																																		
Total Claims	Independent Claims	Extra Claims	Fee from below	Fee Paid																																																																																																																																																																														
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee (\$)																																																																																																																																																																														
-20	= 0	X 18	= 0																																																																																																																																																																															
-3	= 0	X 84	= 0																																																																																																																																																																															
		X 280	= 0																																																																																																																																																																															
SUBTOTAL (2) (\$ 0)																																																																																																																																																																																		
*or number previously paid, if greater; For Reissues, see above					Reduced by Basic Filing Fee Paid																																																																																																																																																																													

SUBMITTED BY			Complete (if applicable)		
Name (Print/Type)	Lynne M. Christenbury	Registration No. Attorney/Agent	30,971	Telephone	302-992-5481
Signature	<i>Lynne M. Christenbury</i>			Date	Dec 18, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



**UNITED STATES PATENT AND TRADEMARK OFFICE**

*JAN 23 2002*

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/934,900	08/22/2001	Rebecca E. Cahoon	BB1476 US NA

**CONFIRMATION NO. 8096**

23906  
E I DU PONT DE NEMOURS AND COMPANY  
LEGAL DEPARTMENT - PATENTS  
1007 MARKET STREET  
WILMINGTON, DE 19898

**FORMALITIES LETTER**



\*OC00000006954079\*

Date Mailed: 10/23/2001

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

**FILED UNDER 37 CFR 1.53(b)**

***Filing Date Granted***

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

*A copy of this notice MUST be returned with the reply.*

*A. G. C. 85*  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

01/28/2002	MAHMED1	00000134	041928	130.00 CH
01 FC:105				